

FAX**RECEIVED
CENTRAL FAX CENTER****NOV 02 2004**

CNH America LLC
Intellectual Property Law Department
Administrative Offices
700 State St.
Racine, WI 53404
Phone: 262-636-7039
Fax: 262-636-6231

To:	ATTN: Examiner Arpad F. Kovacs	From:	Brant T. Maurer, Esq.
Co:	United States Patent and Trademark Office	Date:	November 2, 2004
Fax #:	703-872-9306	#Pages:	18 (including cover page)
Re:	U.S. Patent Application No. 10/731,664	Atty. Docket No.	17238
<input checked="" type="checkbox"/> Urgent <input type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input type="checkbox"/> Please Reply <input type="checkbox"/> Please Recycle			

The return receipt automatically sent via facsimile will acknowledge the following attachments to this cover page:

- ☐ Transmittal Form
- ☐ Fee Transmittal
- ☐ Response To Office Action
- ☐ Copy of PAIR Assignment Documents

CONFIDENTIALITY NOTICE

The information contained in this facsimile transmission is privileged or confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the original to us via the postal service, if authorized by us, destroy it.

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>	Application Number	10/731,664
	Filing Date	December 9, 2003
	First Named Inventor	James R. Schmidt
	Art Unit	3671
	Examiner Name	Arpad F. Kovacs
Total Number of Pages in This Submission	Attorney Docket Number	17238

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.62 or 1.63	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of PAIR documents illustrating common assignment of U.S. Patent No. 6,572,035 and Present Patent Application
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	CNE America LLC Brant T. Maurer
Signature	<i>Brant T. Maurer</i>
Date	November 2, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on			
Typed or printed name	Brant T. Maurer		
Signature	<i>Brant T. Maurer</i>	Date	November 2, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (10-03)
Approved for use through 07/31/2006. OMB 0851-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1985, no persons are required to respond to a collection of information unless it displays a valid OMB control

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$110.00

Complete if Known

Application Number 10/731,664
Filing Date December 9, 2003
First Named Inventor James R. Schmidt
Examiner Name Arpad F. Kovacs
Art Unit 3671
Attorney Docket No. 17238

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																							
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number 03-1025 Deposit Account Name CNH America LLC The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.				3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051 130</td><td>2051 65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052 50</td><td>2052 25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053 130</td><td>1053 130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812 2,520</td><td>1812 2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804 920*</td><td>1804 920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805 1,840*</td><td>1805 1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251 110</td><td>2251 55</td><td>Extension for reply within first month</td><td>110.00</td></tr> <tr><td>1252 430</td><td>2252 215</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253 980</td><td>2253 490</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254 1,530</td><td>2254 765</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255 2,080</td><td>2255 1,040</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401 340</td><td>2401 170</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402 340</td><td>2402 170</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403 300</td><td>2403 150</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451 1,510</td><td>1451 1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452 110</td><td>2452 55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453 1,370</td><td>2453 685</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501 1,370</td><td>2501 685</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502 490</td><td>2502 245</td><td>Design issue fee</td><td></td></tr> <tr><td>1503 660</td><td>2503 330</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460 130</td><td>1460 130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807 50</td><td>1807 50</td><td>Processing fee under 37 CFR § 1.17(q)</td><td></td></tr> <tr><td>1808 180</td><td>1806 180</td><td>Submission of Information Disclosure Statement</td><td></td></tr> <tr><td>8021 40</td><td>8021 40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809 790</td><td>2809 395</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>1810 790</td><td>2810 395</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>1801 790</td><td>2801 395</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802 900</td><td>1802 900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>				Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1051 130	2051 65	Surcharge - late filing fee or oath		1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet		1053 130	1053 130	Non-English specification		1812 2,520	1812 2,520	For filing a request for ex parte reexamination		1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action		1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action		1251 110	2251 55	Extension for reply within first month	110.00	1252 430	2252 215	Extension for reply within second month		1253 980	2253 490	Extension for reply within third month		1254 1,530	2254 765	Extension for reply within fourth month		1255 2,080	2255 1,040	Extension for reply within fifth month		1401 340	2401 170	Notice of Appeal		1402 340	2402 170	Filing a brief in support of an appeal		1403 300	2403 150	Request for oral hearing		1451 1,510	1451 1,510	Petition to institute a public use proceeding		1452 110	2452 55	Petition to revive - unavoidable		1453 1,370	2453 685	Petition to revive - unintentional		1501 1,370	2501 685	Utility issue fee (or reissue)		1502 490	2502 245	Design issue fee		1503 660	2503 330	Plant issue fee		1460 130	1460 130	Petitions to the Commissioner		1807 50	1807 50	Processing fee under 37 CFR § 1.17(q)		1808 180	1806 180	Submission of Information Disclosure Statement		8021 40	8021 40	Recording each patent assignment per property (times number of properties)		1809 790	2809 395	Filing a submission after final rejection (37 CFR § 1.129(a))		1810 790	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))		1801 790	2801 395	Request for Continued Examination (RCE)		1802 900	1802 900	Request for expedited examination of a design application	
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																								
1051 130	2051 65	Surcharge - late filing fee or oath																																																																																																																									
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet																																																																																																																									
1053 130	1053 130	Non-English specification																																																																																																																									
1812 2,520	1812 2,520	For filing a request for ex parte reexamination																																																																																																																									
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action																																																																																																																									
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action																																																																																																																									
1251 110	2251 55	Extension for reply within first month	110.00																																																																																																																								
1252 430	2252 215	Extension for reply within second month																																																																																																																									
1253 980	2253 490	Extension for reply within third month																																																																																																																									
1254 1,530	2254 765	Extension for reply within fourth month																																																																																																																									
1255 2,080	2255 1,040	Extension for reply within fifth month																																																																																																																									
1401 340	2401 170	Notice of Appeal																																																																																																																									
1402 340	2402 170	Filing a brief in support of an appeal																																																																																																																									
1403 300	2403 150	Request for oral hearing																																																																																																																									
1451 1,510	1451 1,510	Petition to institute a public use proceeding																																																																																																																									
1452 110	2452 55	Petition to revive - unavoidable																																																																																																																									
1453 1,370	2453 685	Petition to revive - unintentional																																																																																																																									
1501 1,370	2501 685	Utility issue fee (or reissue)																																																																																																																									
1502 490	2502 245	Design issue fee																																																																																																																									
1503 660	2503 330	Plant issue fee																																																																																																																									
1460 130	1460 130	Petitions to the Commissioner																																																																																																																									
1807 50	1807 50	Processing fee under 37 CFR § 1.17(q)																																																																																																																									
1808 180	1806 180	Submission of Information Disclosure Statement																																																																																																																									
8021 40	8021 40	Recording each patent assignment per property (times number of properties)																																																																																																																									
1809 790	2809 395	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																									
1810 790	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																									
1801 790	2801 395	Request for Continued Examination (RCE)																																																																																																																									
1802 900	1802 900	Request for expedited examination of a design application																																																																																																																									
1. BASIC FILING FEE <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1001 790</td><td>2001 395</td><td>Utility filing fee</td><td></td></tr> <tr><td>1002 350</td><td>2002 175</td><td>Design filing fee</td><td></td></tr> <tr><td>1003 550</td><td>2003 275</td><td>Plant filing fee</td><td></td></tr> <tr><td>1004 790</td><td>2004 395</td><td>Reissue filing</td><td></td></tr> <tr><td>1005 160</td><td>2005 80</td><td>Provisional filing fee</td><td></td></tr> <tr><td colspan="3">SUBTOTAL (1)</td><td>(\$)</td></tr> </tbody> </table>				Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1001 790	2001 395	Utility filing fee		1002 350	2002 175	Design filing fee		1003 550	2003 275	Plant filing fee		1004 790	2004 395	Reissue filing		1005 160	2005 80	Provisional filing fee		SUBTOTAL (1)			(\$)	2. EXTRA CLAIM FEES FOR UTILITY AND <table border="1"> <thead> <tr> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>Total Claims -20** = 0 X</td><td></td><td>0.00</td></tr> <tr><td>Independent Claims -3** = 0 X</td><td></td><td>0.00</td></tr> <tr><td>Multiple Dependent</td><td></td><td></td></tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1202 18</td><td>2202 9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>1201 88</td><td>2201 44</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>1203 300</td><td>2203 150</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>1204 88</td><td>2204 44</td><td>** Reissue independent claims over original patent</td><td></td></tr> <tr><td>1205 18</td><td>2205 9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr> <tr><td colspan="3">SUBTOTAL (2)</td><td>(\$) 50.00</td></tr> </tbody> </table>				Extra Claims	Fee from below	Fee Paid	Total Claims -20** = 0 X		0.00	Independent Claims -3** = 0 X		0.00	Multiple Dependent			Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1202 18	2202 9	Claims in excess of 20		1201 88	2201 44	Independent claims in excess of 3		1203 300	2203 150	Multiple dependent claim, if not paid		1204 88	2204 44	** Reissue independent claims over original patent		1205 18	2205 9	** Reissue claims in excess of 20 and over original patent		SUBTOTAL (2)			(\$) 50.00																																																
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																								
1001 790	2001 395	Utility filing fee																																																																																																																									
1002 350	2002 175	Design filing fee																																																																																																																									
1003 550	2003 275	Plant filing fee																																																																																																																									
1004 790	2004 395	Reissue filing																																																																																																																									
1005 160	2005 80	Provisional filing fee																																																																																																																									
SUBTOTAL (1)			(\$)																																																																																																																								
Extra Claims	Fee from below	Fee Paid																																																																																																																									
Total Claims -20** = 0 X		0.00																																																																																																																									
Independent Claims -3** = 0 X		0.00																																																																																																																									
Multiple Dependent																																																																																																																											
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																								
1202 18	2202 9	Claims in excess of 20																																																																																																																									
1201 88	2201 44	Independent claims in excess of 3																																																																																																																									
1203 300	2203 150	Multiple dependent claim, if not paid																																																																																																																									
1204 88	2204 44	** Reissue independent claims over original patent																																																																																																																									
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent																																																																																																																									
SUBTOTAL (2)			(\$) 50.00																																																																																																																								
**or number previously paid, if greater; For Reissues, see above *Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$) \$110.00																																																																																																																							

SUBMITTED BY		Complete (if applicable)	
Name	Brant T. Maurer	Registration No. (Attorney/Agent)	53,285
Signature	<i>Brant T. Maurer</i>	Telephone	(262) 636-5368
		Date	November 2, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.